# United States Department of Agriculture Research, Education, and Economics

# ARS □ ERS □ NASS □ NIFA

# Policies and Procedures

**Title:** ARS Research Associate Program

**Number:** P&P 105.1 v.5

**Date:** October 22, 2015

Originating Office: Human Resources Division - Employment Policy and

Accountability AFM ARS

**This Replaces:** P&P 105.1-ARS, dated 10/23/06

**Distribution:** All ARS field Locations and Business Service Centers

This P&P contains practical information about the ARS, Research Associate Program. It describes the hiring process and identifies responsibilities. This document has been revised in a variety of areas which are addressed in the Summary of Changes section.

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# 1. Purpose

The purpose of this issuance is to provide users with the policies and procedures (P&P) of the Agricultural Research Service (ARS), Research Associate Program.

# 2. Summary of Changes

The ARS Research Associate Program P&P 105.1 v.5 has been revised to:

- Remove language concerning the practice of employing GS-7/9 Research Affiliates. In 2006 the Research Grade Evaluation Guide (RGEG) was revised and eliminated GS-9 grade level criteria. The revision committee stated that work at this level is not "professional research" and is better described as "advanced training;"
- Incorporate a section entitled "Classification" to address the basic criteria for classifying research positions through application of the RGEG;
- Incorporate a section entitled "Legal Authority" so that Agency users may see the legal authority as it is written in regulation;
- Incorporate the "Extension Request Form" for Agency users' convenience and use (See Exhibit 1);
- Update language regarding the process for developing/advertising a Job Opportunity Announcement (JOA);
- Incorporate language regarding the purpose and use of the "JOA Worksheet;"
- Add the "JOA Worksheet" (See Exhibit 2);
- Reformat the P&P to a more user-friendly version;
- Incorporate language to state that the practice of posting Headquarters-Funded JOAs is no longer a requirement;
- Change policy to indicate that only the Human Resources (HR) Director has the authority to approve extension requests beyond 4 years as stated in the legal authority. (See Section 4)

#### 3. Introduction

ARS is the principal in-house research Agency of the U.S. Department of Agriculture (USDA). ARS conducts high quality research in over 90 locations throughout the United States and several foreign countries. To maintain ARS' research competence, a continual infusion of scientific expertise from a variety of sources such as academia and industry are necessary. The ARS Research Associate Program is one important mechanism used for that purpose. At the Program's inception in 1987, the objectives were to: 1) supplement the research conducted by Agency scientists with the support of research associates; and 2) provide recent Ph.D. graduates an opportunity to gain experience in their field of expertise under the mentorship of Agency scientists. These original objectives are still valid.

Appointments under this program are made on a non-permanent basis for the purpose of addressing specific objectives or critical research areas within a specific research project. It may not be used as an alternative to filling permanent positions; however, research associates are encouraged to compete for permanent career scientist positions within ARS.

# 4. Legal Authority

The Research Associate Program is a Schedule B, excepted service hiring authority. The Office of Personnel Management (OPM) has given this hiring authority to the ARS and the Forest Service (FS). The actual legal authority [Schedule B 213.3213(b)(1)] states the following:

# Section 213.3213 Department of Agriculture

(b) General. (1) Temporary positions of professional Research Scientists, GS-15 or below, in the ARS and the FS, when such positions are established to support the Research Associateship Program and are filled by persons having a doctoral degree in an appropriate field of study for research activities of mutual interest to appointees and the Agency. Appointments are limited to proposals approved by the appropriate Administrator. Appointments may be made for initial periods not to exceed 2 years and may be extended for up to 2 additional years. Extensions beyond 4 years, up to a maximum of 2 additional years, may be granted, but only in **very rare** and **unusual circumstances**, as determined by the Personnel Officer, ARS, or the Personnel Officer, FS.

## 5. Classification

All research associate positions are classified through application of the RGEG. Grade level criteria under the RGEG begins at the GS-11 grade level; therefore, positions cannot be established below the GS-11 grade level. Locally-Funded research associate positions may be made at the GS-11 and above grade levels. Any proposed grade level allocation above the GS-12 grade level requires a peer panel review in which the panel determines the final grade level. Headquarters-Funded positions are made at the GS-11/12 grade levels only.

Research associates are placed in position category "code 2" since these are professional scientific positions established on a non-permanent basis.

# 6. Appointment Criteria

Appointments under this hiring authority are either temporary (appointed for an initial period of 1 year or less) or time-limited (appointed for an initial period of over 1 year). Temporary appointments are

subject to service limits and restrictions which means the total appointment period cannot exceed 2 years in total.

Headquarter-Funded appointments must be made for an initial period of 2 years without exception.

Locally-Funded appointments are typically made for a period of 2 years; however, appointments can be made for a period not to exceed 1 year or less.

Headquarters-Funded appointments are restricted to U.S. citizens and permanent residents who meet employment eligibility requirements. (See – Section 14)

Locally-Funded appointments may be filled with U.S. citizens, permanent residents and foreign nationals who meet employment eligibility requirements. (See – Section 14)

# 7. Extension of Appointments

An individual may be appointed to and then later converted to more than one research associate position under this hiring authority provided total time in either a Headquarters-Funded or Locally-Funded research associate position does not exceed 4 years in total.

Appointments made for an initial period of more than 1 year may be extended in a variety of increments not to exceed 4 years in total. Under very rare and unusual circumstances, appointments may be extended beyond 4 years, but no more than 6 years. Examples of very rare and unusual circumstances would include instances such as: 1) a natural disaster that has destroyed the research and more time is needed to complete the objectives; 2) a new research discovery has been made taking the research in another direction and it would not be feasible to recruit another research associate to proceed in the new research direction; or 3) any other circumstance deemed very rare and unusual by the HR Director.

Appointments made for an initial period of 1 year or less may be extended in a variety of increments not to exceed 2 years in total.

Extensions must be submitted to the servicing HR Specialist on the Research Associate – Extension Request Form (See – Exhibit 1). Extension requests should be submitted at least 3 months prior to the research associate's not-to-exceed date. Request forms must be routed through the approving officials indicated on the request form. Requests must clearly state the reasons an extension is believed necessary and the availability of funds.

GS-09 and above Human Resources (HR) Specialists have authority to approve extension requests beyond 2 years. The HR Director has authority to approve extension requests beyond 4 years.

# 8. Funding

Headquarters-Funded and Locally-Funded positions are funded through different mechanisms as follows:

## 8.1 Headquarters-Funded Appointments

Headquarters-Funded appointments are funded by the ARS Administrator. Awardees receive funding in the amount of \$70,000 per year for the 2-year appointment period. One awardee will receive the T.W. Edminster Research Associate Award for the best overall research proposal and will receive funding in the amount of \$80,000 per year for the 2-year appointment period.

The funds provided by the Administrator may be used for salary, benefits, travel, equipment, supplies, or any other costs associated with the appointment. Any additional funds needed to support the appointment must come from the location Management Unit (MU) and/or Area Office.

It is the awardee's responsibility to initiate funding through the Agricultural Research Information System (ARIS). A request for funds may be submitted no earlier than 2 weeks after the research associate enters on duty. The research associate must be in the position during the fiscal year (FY) for which the funds are requested. The funds can be requested in a variety of increments that can span 3 fiscal years. For example, if a research associate is appointed from April 1, 2014, to March 31, 2016, funds in the amount of \$30,000 could be requested for FY 2014, \$55,000 for FY 2015, and \$55,000 for FY 2016, or funds in the amount of \$70,000 could be requested for FY 2014, and \$70,000 for FY 2015. Allocation of funds may not exceed \$70,000 per FY.

In the event an awardee leaves the Agency prior to filling their research associate position, the funding will be forfeited. If an awardee leaves the Agency after the research associate position is filled, a new mentor must be assigned to the research associate. In addition, if the research associate leaves the Agency or is converted to a different position within the Agency, all unused funds are forfeited and transferred back to Headquarters (HQ). A request to refill a vacated research associate position is rarely granted; however, any such request must be submitted in writing, and sent through the Area Director (AD) to the Associate Administrator (AA), Office of National Program (ONP) for approval. Requests can be submitted via e-mail.

## 8.2. Locally-Funded Appointments

Locally-Funded research associate appointments are typically identified in the Annual Resource Management Plan System (ARMPS). Funds are obtained from either the MUs budget or outside sources such as academia, private industry, etc. Positions that are not identified in the ARMPS must be approved by the AD prior to recruitment.

# 9. Headquarters-Funded Award Process

Every spring the Administrator initiates the Headquarters-Funded Research Associate Awards Program by soliciting Agency scientists (Category 1 and 4) for research proposals. In the fall of that year, the Administrator awards funds to the top 40 research proposals. The following describes the award process:

## 9.1. Submission of Research Proposals

The Administrator works through the ADs to solicit Agency scientists for research proposals. ADs are provided instructions on the research proposal submission process which they disseminate to Research Leaders (RL) who then distribute to Agency scientists.

The research proposal must be a specific, narrow piece of research supporting a component of a research project which can be achieved within a 2-year period. The proposal must identify: 1) The National Program or program component to which it relates; 2) the research problem, objective, approach, and goal; and 3) the expected results and potential impact of the completed research and other relevant information. Research proposals must be submitted via ARIS. The proposal can contribute to a team effort, but mentorship and supervision must be provided by an individual ARS scientist.

Proposals may not be submitted from scientists under a Performance Improvement Plan.

Below are roles and responsibilities:

#### Administrator will:

Initiate the yearly Headquarters-Funded Research Associate Awards Program.

### Area Director will:

• Forward program instructions on the research proposal submission process to RLs.

#### Research Leader will:

• Forward program instructions on the research proposal submissions process to Agency scientists.

## Agency Scientist will:

• Submit research proposal through ARIS within the timeframe indicated in the instruction memorandum.

# 9.2. Selection of Research Proposals

ADs and ONP leadership have a shared responsibility for the Research Associate Program's balance, priorities, relevance, and excellence. The proposals are evaluated and scored separately by the ADs and the ONP leadership team. Their evaluations are then combined for final scoring to determine which proposals are funded. Any modification to an approved proposal must be cleared through the AA, ONP.

### Area Director will:

- Review and score each research proposal in accordance with established criteria.
- Forward score to ONP via ARIS.

#### ONP Leadership Team will:

- Review and score the research proposals in accordance with established criteria.
- Combine score with the AD's scores and resolves any differences.
- Present recommended proposals to the Administrator.
- Review and approve modifications to research proposals that have been selected for funding.

# Administrator will:

- Approve 40 proposals for funding based on recommendations from ADs and ONP leadership team.
- Select one proposal to receive the T.W. Edminster Research Associate Award.

• Notify the ADs of approved proposals.

## 9.3. Notification of Research Proposals

#### Area Director will:

• Notify Agency scientists on the status of their research proposal.

#### 10. Outreach

It is the desire of ARS to have a workforce that reflects the diversity of the United States population. In support of this, outreach efforts must be conducted in a manner which promotes the employment of scientists from the most underrepresented groups while not engaging in any preferential treatment to an individual or groups. A Job Opportunity Announcement (JOA) is not required for research associate vacancies; however, it is recommended to increase the diversity of the applicant pool. JOA placement options include USAJOBS, professional research journals, etc. For assistant in developing a recruitment strategy that will attract talented applicants from colleges and/or universities, minority-servicing institutions, and other educational organizations, please contact the Outreach, Diversity, and Equal Opportunity, Outreach and Recruitment Branch at <a href="mailto:careers@ars.usda.gov">careers@ars.usda.gov</a> or 202-720-6161.

### 11. Recruitment and Selection Process

The recruitment and selection process is the same for both Headquarters-Funded and Locally-Funded positions, with a few exceptions:

### Agency Scientist will:

- Ensure research associate positions are annotated in the Management Units' (MU) Annual Research Information System (ARMPS). Positions not annotated in the ARMPS must be approved by the AD before the recruitment process can begin. (*Locally-Funded Only*)
- Develop a position description in Research Grade Evaluation format as described in Manual 431.3-ARS.
- Complete Form AD-332, "Position Description Coversheet."
- Complete Form SF-52, "Request for Personnel Action."

- Complete JOA Worksheet (See Exhibit 2) which can be found on the ARS Web site under "HRD Topics A-Z Postdoctoral Research Associate Procedures for Developing/Advertising Postdoctoral Vacancy Announcements."
- Submit complete recruitment package to the servicing HR Specialist according to the recruitment protocols established within each Area. The recruitment package must contain of the following:
  - o Form SF-52, "Request for Personnel Action"
  - o Form AD-332, "Position Description Coversheet"
  - o Position Description
  - JOA Worksheet
- Receive applications from prospective candidates and review for consideration.
   Application packages that indicate a claim of veterans' preference must be forwarded to the servicing HR Specialist for a determination of preference. Note: Veterans' preference eligible who qualify for the position must be selected over non-preference eligible.
- Choose a candidate for the position and make a "tentative" job offer. Final offers of employment must come from the servicing HR Specialist.
- Have selectee complete Form OF-306, "Declaration of Federal Employment" and ensure block 17a is signed by the selectee.
- Obtain one of the following employment documents from selectee. (*Foreign Nationals Only*)
  - o H-1B Visa
  - o Permanent Resident Card
  - Employment Authorization Document
  - o Etc.
- Obtain a copy of selectee's transcripts indicating proof of Ph.D. Recent graduates
  without a final transcripts indicating Ph.D. may submit a letter from the university,
  on university letterhead, indicating that all requirements have been met for Ph.D.
  Once final transcripts are obtained, submit to the servicing HR Specialist. Selectees
  who obtained their education outside the U.S. must provide a U.S. foreign
  equivalency report along with their application package.
- Submit the following documents, of the selectee, to the servicing HR Specialist once a tentative job offer has been made:

- o Form OF-306, Declaration of Federal Employment
- o Resume including Ph.D. dissertation
- o Transcripts or letter confirming Ph.D.
- o Employment documents (foreign nationals only)
- Contact the servicing HR Specialist to discuss the selection and negotiate an
  entrance-on-duty date. The HR Specialist must ensure the selectee meets all
  qualification and employment eligibility requirements.
- Request transfer of funds or an adjustment to an original transfer of funds through ARIS no earlier than 2 weeks after the entrance-on-duty date of the selectee. (HQ-Funded Only)

### **Human Resources Specialist will:**

- Provide advice and guidance to applicants and Agency scientists regarding the Research Associate Program.
- Classify the position in accordance with the RGEG.
- Develop a vacancy announcement, if requested.
- Post vacancy announcement on USAJOBS, if requested.
- Approve paid advertisements, if requested.
- Receive applications for those applicants claiming veterans' preference and determine whether or not the applicant is eligible for preference.
- Receive selectee's application package to ensure selectee meets all qualification and employment eligibility requirements.
- Make official offer of employment.
- Complete the "Notification of Research Associate Selection" form and forwards to the Research Associate Program Manager. The notification form can be found on the "w" drive under HRDSHARE/Research Associate Program. (*HQ-Funded Only*)
- Approve/Disapprove extension of appointment requests beyond 2 years, but no more than 4 years.

### Research Associate Program Manager will:

- Provide policy advice and guidance to HR Specialist, as necessary.
- Receive selection notifications from HR Specialists for Headquarters-Funded research associate selections and enter data into the ARIS database for the release of funds. (HQ-Funded Only)

#### Budget and Program Management Staff (BPMS) will:

• Release approved funds to appropriate project number. (*HQ-Funded Only*)

#### HR Director will:

• Approve/Disapprove extension requests beyond 4 years.

### 12. Selection Policies

All applicants will be given full consideration and selections will be made from the best qualified candidates. Veterans' preference must be applied; therefore, qualified preference eligible must be selected over non-preference eligible.

All selectees must have a Ph.D. in a discipline of science related to the Agency's mission. Headquarters-Funded selectees must have a Ph.D. within the past 4 years. ADs have the authority to approve exceptions to this policy. No regency restrictions on Ph.D. of Locally-Funded selections.

Agency scientists awarded a Headquarters-Funded research associate position have 18 months in which to make a selection. The deadline date for making a selection is annotated in the yearly instructional package sent out to awardees. The deadline is for making a selection, not for having the selectee on the rolls of the Agency. Selectees should be on the rolls within 2-3 months of the deadline date (March 31<sup>st</sup>.) For example, awardees from the class of 2016 must make a selection by March 31, 2017. If the selectee cannot report within 2-3 months of deadline date (July 1, 2017), awardee must obtain AD approval for reports beyond the 3 month enrollment deadline.

Although rarely granted, exceptions to the 18-month recruitment and selection limitation may be granted by the Associate Administrator (AA), ONP. A written extension request must be submitted to the AD via e-mail. If the AD concurs with the request it will be forwarded to the AA, ONP, for further review and final approval.

Locally-Funded research associate positions can be filled throughout the FY.

# 13. Employee Benefits

Appointees may be eligible for the following benefits:

**Leave:** Appointees assigned to a regularly scheduled tour of duty are eligible to earn both annual and sick leave as long as the initial appointment is made for more than 90 days.

**Pay Increases:** Appointees given an initial appointment of more than 1 year are eligible for Within-Grade-Increases (WGIs) if they receive at least a fully-successful performance rating. Appointees with an initial appointment of one year or less are not eligible for WGIs regardless of a future extension beyond the initial eligibility period.

**Health Insurance:** Appointees given an initial appointment of more than 1 year are eligible for coverage under the Federal Employee Health Benefit (FEHB) program. Appointees given an initial appointment of at least 90 days may be eligible for FEHB under the Affordable Health Care Act if the appointee is defined as a "full-time" employee. The Act defines a full-time employee as an employee who works 130 or more hours in a calendar month. The Agency is responsible for the Government share of the premiums under the Act.

**Life Insurance:** Appointees given an initial appointment of more than 1 year are eligible for coverage under the Federal Employees Group Life Insurance (FEGLI) program. Appointments made for 1 year or less are not eligible for FEGLI regardless of a future extension beyond 1 year.

**Retirement:** Appointees given an initial appointment for more than 1 year are eligible for the Federal Employees Retirement System (FERS) and the Thrift Savings Plan (TSP). Appointments made for 1 year or less are not eligible for FERS or TSP regardless of a future extension beyond 1 year.

**Miscellaneous:** All appointees are covered by the Federal Employee's Compensation Act for work injury and Federal Tort Claims Act.

# 14. Employment of Foreign Nationals

The Federal Government gives strong priority to hiring United States citizens and nationals; however, foreign nationals may be hired under certain circumstances. Foreign nationals being considered for employment in the Federal Government must meet the requirements of both Immigration Laws and annual Appropriations Laws as described below:

## 14.1. U.S. Immigration Law

Regulations that implement Immigration Laws are published in Title 8 of the Code of Federal Regulations (CFR). According to 8 CFR 274a, U.S. employers may only hire individuals who are:

- a citizen (either by birth or naturalization);
- lawfully admitted for permanent residence;
- lawfully admitted for temporary residence;
- an alien admitted or paroled into the United States as a refugee; an alien granted asylum;
- a fiancé, fiancée, child, or parent of an alien who was admitted under certain conditions;
- an alien who is authorized employment with a specific employer incident to status (such as on-campus part-time employment of a non-immigrant student); or
- an alien who meets other requirements that are listed in the regulations.

## 14.2. Annual Appropriations Law

Current Appropriations Laws prohibits an agency from using appropriated funds to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States **unless such person:** 

- is a citizen of the United States;
- is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B);
- is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible;
- is a person who owes allegiance to the United States (for example, natives of American Samoa and Swains Island);
- is a person employed as an international broadcaster by the Broadcasting Board of Governors;
- is a person temporarily employed as a translator;
- is a person temporarily employed in the field of service (not to exceed 60 days) as a result of emergencies;
- is a nonresident alien employed as wild-land firefighter for not more than 120 days by the Department of the Interior or the USDA-Forest Service (FS), pursuant to an agreement with another country; or
- is a person who was an officer or employee of the U.S. Government on December 16, 2009.

For more information on the employment of foreign i	nationals, contact your servicing HR Specialist.
/cjy/	_October 21, 2015
Chavonda Jacobs-Young Administrator Agricultural Research Service	Date

# Exhibit 1 - Extension Request Form

Research Associate – Extension Request Form		
Name of Selectee:	Title, Series and Grade:	
Mentor:	Location (city, state):	
Entrance-On-Duty Date:		

# Section 213.3213 Department of Agriculture

(b) General. (1) Temporary positions of professional Research Scientists, GS-15 or below, in the ARS and the FS, when such positions are established to support the Research Associateship Program and are filled by persons having a doctoral degree in an appropriate field of study for research activities of mutual interest to appointees and the Agency. Appointments are limited to proposals approved by the appropriate Administrator. Appointments may be made for initial periods not to exceed 2 years and may be extended for up to 2 additional years. Extensions beyond 4 years, up to a maximum of 2 additional years, may be granted, but only in **very rare** and **unusual circumstances**, as determined by the Personnel Officer, ARS, or the Personnel Officer, FS.

Describe Reason for Extension and Funding Availability:

# **Signatures of Approving Officials:**

Supervisor	Date
Research Leader	Date
Area Director	Date
Human Resources Specialist	Date
(Extension beyond 2 years)	
Director, Human Resources Division	Date
(Extension beyond 4 years)	

# Exhibit 2 – Job Opportunity Announcement (JOA) Worksheet

# Job Opportunity Announcement (JOA) Worksheet ARS - Research Associate Program

1. Position Title:
2. Location of Position: (City, State)
3. <b>Description of Duties:</b> (Provide three or four sentences outlining the major duties and responsibilities of the position)
<b>4. Qualification Requirements:</b> ((Identify what type of Ph.D or related scientific discipline is required. Specify other knowledge/skills/abilities that are required or desirable)
<b>5. Funding Source:</b> (Identify funding source – i.e. HQ-funded or Locally-funded. Be sure to indicate "Regency" of Ph.D. on HQ-funded positions which must have received a Ph.D. within the last 4 years. Area Directors have the authority to approved exceptions to this policy.)
<b>6. Appointment Period:</b> (Indicate the appointment period, e.g. 13 months, 1 year, 2 years. Remember, HQ-funded must be for a minimum of 2 years)
7. Special Consideration: (Indicate "YES" or "NO" as to whether or not the duties of the position will require unrestricted access to BSL-3 containment facilities, work with CFR-listed agents or toxins, or unrestricted access to the exclusion areas of high security facilities, such as the vaults of major gene banks.
8. Contact Information: (Provide supervisor/mentor contact information)
Name:
Address:
Phone: Fax:
F-mail·

# Exhibit 3 – Acronyms

AA Associate Administrator

AD Area Director

AD-332 Position Description Cover Sheet

AO Area Office

ARIS Agricultural Research Information System

ARMPS Annual Resource Management Plan System

BPMS Budget and Program Management Staff

CFR Code of Federal Regulations

CRIS Current Research Information System

FEGLI Federal Employee Group Life Insurance

FEHB Federal Employee Health Benefits

FERS Federal Employees Retirement System

FS Forest Service

FY Fiscal Year

HR Human Resources

HQ Headquarters

JOA Job Opportunity Announcement

MU Management Unit

OF-306 Declaration of Federal Employment

OPM Office of Personnel Management

ONP Office of National Programs

PI Principal Investigator

P&P Policies and Procedures

RGEG Research Grade Evaluation Guide

RL Research Leader

SF-52 Request for Personnel Action

TSP Thrift Savings Plan

WGI With-in-Grade Increase